

Message Text

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PAGE 01 STATE 010049

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ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 CIEP-01 CAB-02 CIAE-00 COME-00

DODE-00 DOTE-00 INR-07 NSAE-00 RSC-01 FAA-00 L-02

NSC-05 NSCE-00 SS-15 SSO-00 INRE-00 /053 R

DRAFTED BY EB/AN:JBMAGNOR:DAP

APPROVED BY EB/AN:WBCOBB

EUR/WE - MR. MARSH

CAB - R. MILLER

EUR/RPE - J. TARRANT

CIEP - J. SHOWE (SUBS)

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O R 152252Z JAN 75

FM SECSTATE WASHDC

TO AMEMBASSY THE HAGUE IMMEDIATE

INFO AMEMBASSY BRUSSELS

AMEMBASSY LONDON

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E.O. 11652:N/A

TAGS: EAIR, NL

SUBJECT: CIVAIR: KLM SCHEDULE FILINGS

REF: A) THE HAGUE 171; B) STATE 3351; C) BRUSSELS 9755

BRUSSELS FOR WALDMANN:

1. SECRETARY'S COMMITMENT TO VAN DER STOEL CAN BE INTERPRETED AS ASSURANCE THAT CAB WILL NOT IMPLEMENT UNILATERAL ACTION AGAINST KLM (I.E. SECOND STAGE PART 213 - THE DISAPPROVAL OF ALL OR PART OF ITS SCHEDULES). AMBASSADOR AUTHORIZED ADVISE GON TO THIS EFFECT STIPULATING, HOWEVER, THAT FIRM ASSURANCES CAN BE GIVEN ONLY UNTIL NEGOTIATIONS HAVE BEEN EXHAUSTED, AND ONLY IF KLM COMPLIES PROMPTLY AND FULLY WITH CAB SCHEDULE FILING ORDER. (FYI: ALTHOUGH CAB UNWILLING TO GIVE SUCH ASSURANCES ITSELF, LIMITED OFFICIAL USE

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PAGE 02 STATE 010049

IT ACKNOWLEDGES THAT SINCE ANY CAB IMPOSITION OF RESTRIC-

TIONS ON KLM SCHEDULES WOULD REQUIRE PRESIDENTIAL APPROVAL,
QUESTION OF WHETHER IT GIVES ASSURANCES OR NOT IS MOOT.
END FYI.)

2. A POSSIBLY TROUBLESOME ELEMENT GROWS OUT OF KLM'S
FAILURE TO COMPLY WITH CAB ORDER TO DATE AND ITS EXPOSURE
THEREFORE TO CIVIL PENALTIES, (SEE REF B). LEST THERE
BE ANY DUTCH MISUNDERSTANDING THAT US ASSURANCES WITH

RESPECT TO FURTHER ACTIONS AGAINST KLM APPLY TO MITIGA-
TION OR ELIMINATION OF POSSIBLE CIVIL PENALTIES WHICH
COULD EVENTUALLY RESULT IN DUTCH CONCLUSION AND ASSERTION
THAT US HAS ACTED IN BAD FAITH, IT SHOULD BE MADE CLEAR TO
THEM THESE ASSURANCES APPLY ONLY TO THOSE EVENTS OVER
WHICH DEPARTMENT AND EXECUTIVE BRANCH HAVE CONTROL, VIZ.
THE RESTRICTION OF KLM SCHEDULES. IT SHOULD ALSO BE POINT-
ED OUT, HOWEVER, THAT DEPARTMENT WILL MAKE EVERY EFFORT
TO MINIMIZE POSSIBLE PENALTIES AGAINST KLM RESULTING
FROM ITS FAILURE TO COMPLY WITH THE CAB FILING ORDER IF
KLM ASSISTS IN THIS CONNECTION BY COMPLYING PROMPTLY
WITH ORDER. KISSINGER

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Message Attributes

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Margaret P. Grafeld
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